

C. Brooks Cutter (SBN 121407)  
 Jennifer S. Domer (SBN 305822)  
 Celine Cutter (SBN 312622)  
**CUTTER LAW P.C.**  
 401 Watt Avenue  
 Sacramento, CA 95864  
 Telephone: 916-290-9400  
 Facsimile: 916-588-9330  
 Email: [bcutter@cutterlaw.com](mailto:bcutter@cutterlaw.com)  
       [jdomer@cutterlaw.com](mailto:jdomer@cutterlaw.com)  
       [ccutter@cutterlaw.com](mailto:ccutter@cutterlaw.com)

*Attorneys for ROE CL Plaintiffs*

**IN THE UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

IN RE: UBER TECHNOLOGIES, INC.,  
 PASSENGER SEXUAL ASSAULT  
 LITIGATION

Case No.: 3:23-md-03084-CRB

Hon. Charles R. Breyer

This Document Relates to:

*Jane Roe CL 12 v. Uber Technologies, Inc., et al., No. 3:24-cv-04673-CRB*

*Jane Roe CL 21 v. Uber Technologies, Inc., et al., No. 3:24-cv-05525-CRB*

*Jane Roe CL 30 v. Uber Technologies, Inc., et al., No. 3:24-cv-05591-CRB*

*Jane Roe CL 35 v. Uber Technologies, Inc., et al., No. 3:24-cv-05706-CRB*

*Jane Roe CL 44 v. Uber Technologies, Inc., et al., No. 3:24-cv-05744-CRB*

*Jane Roe CL 55 v. Uber Technologies, Inc., et al., No. 3:24-cv-05835-CRB*

*Jane Roe CL 73 v. Uber Technologies, Inc., et al., No. 3:24-cv-7030-CRB*

*Jane Roe CL 90 v. Uber Technologies, Inc., et al., No. 3:24-cv-09201-CRB*

*Jane Roe CL 94 v. Uber Technologies, Inc., et al., No. 3:24-cv-09550-CRB*

**PLAINTIFFS' MEMORANDUM IN**  
**SUPPORT OF OPPOSITION TO**  
**DEFENDANTS' MOTION TO DISMISS**  
**CASES FOR FAILURE TO COMPLY**  
**WITH COURT ORDER**

Date: October 3, 2025

Time: 10:00 a.m.

Courtroom: 6 – 17<sup>th</sup> Floor

*Jane Roe CL 96 v. Uber Technologies, Inc., et al., No. 3:25-cv-00463-CRB*

*Jane Roe CL 99 v. Uber Technologies, Inc., et al., No. 3:25-cv-00855-CRB*

*Jane Roe CL 129 v. Uber Technologies, Inc., et al., No. 3:25-cv-02498-CRB*

*Jane Roe CL 132 v. Uber Technologies, Inc., et al., No. 3:25-cv-02744-CRB*

*Jane Roe CL 143 v. Uber Technologies, Inc., et al., No. 3:25-cv-03260-CRB*

*Jane Roe CL 145 v. Uber Technologies, Inc., et al., No. 3:25-cv-03262-CRB*

*Jane Roe CL 153 v. Uber Technologies, Inc., et al., No. 3:25-cv-03818-CRB*

## I. INTRODUCTION

On August 22, 2025, Defendants filed a Motion to Dismiss cases of Plaintiffs who did not submit substantially complete Plaintiff Fact Sheets (“PFSs”) in connection with Pretrial Order (“PTO”) 10. (Doc. 3731). Counsel acknowledges and understands that under PTO 10, the court created procedures and deadlines to produce a PFS. Counsel has produced a PFS for each Jane Roe CL identified on the list provided by Defendants. The PFS is lengthy and requires Plaintiffs to work through the traumatizing event in detail. Despite the production, Counsel has also diligently attempted to comply with the production of additional information and documents required by the discovery obligation of each of the Plaintiffs addressed in this Motion.

During the course of litigation, a Plaintiff may become unavailable for a variety of reasons, and with additional effort may be located. It may also take additional time for Plaintiff to locate past videos, texts, photos, emails, etc., which are requested in the original PFS, and also addressed in the deficiency notice. Counsel has utilized extensive efforts to reach each of the clients and work with them to obtain these documents, predating the filing of Defendant’s motion. (Domer Dec. at ¶ 4). Through these efforts, Counsel was able to produce the PFS items identified

1 in the Motion for Jane Roes CL 12, 30, 35, 55, 90, 94, 129, and 145 of the missing claimants and  
2 is continuing extensive efforts to reach the remaining missing claimants.

## 3 II. ARGUMENT

4 Counsel produced PFS releases and documents for Jane Roes CL 12, 30, 35, 55, 94, 129,  
5 and 145, and should therefore be removed from consideration of Defendants' Motion, rendering  
6 their inclusion moot as to PTO 10 as the documents or releases identified in their Motion have  
7 been produced.

8 Additionally, while Jane Roe CL 90 has cured identified PFS deficiencies, she was  
9 included on Defendants' Motion for not providing a HIPAA release. Upon meeting and  
10 conferring with Defendants on her case, they agreed to withdraw her from inclusion of this  
11 Motion as not needing a release. Therefore, she should likewise be excluded from the Court's  
12 consideration of this Motion.

13 For the remaining clients identified in the Defendants' Motion, Counsel is diligently  
14 working with clients to help them obtain the missing documents or releases identified. Counsel  
15 respectfully requests additional time to work with clients to produce the missing items.

## 16 III. CONCLUSION

17 For the foregoing reasons, Plaintiffs Jane Roes CL 12, 30, 35, 55, 94, 129, and 145  
18 respectfully request that their claims be removed from Defendants' Motion to Dismiss as having  
19 fulfilled their obligation under PTO 10 to submit documents or releases required under PTO 10.  
20 Counsel also requests that Jane Roe CL 90 be excluded as agreed upon by Defendants. Lastly,  
21 Counsel respectfully requests additional time to produce the remaining items identified in the  
22 Motion.

23  
24 Dated: September 5, 2025

CUTTER LAW P.C.

25  
26 By: /s/ Jennifer S. Domer

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Facsimile: 916-588-9330  
Email: [bcutter@cutterlaw.com](mailto:bcutter@cutterlaw.com)  
[jdomer@cutterlaw.com](mailto:jdomer@cutterlaw.com)  
[ccutter@cutterlaw.com](mailto:ccutter@cutterlaw.com)

*Attorneys for ROE CL Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that, on September 5, 2025, I electronically filed the following with the Clerk of the Court using the CM/ECF system, which will send notification of such filing via electronic mail to all counsel of record as maintained in the CM/ECF electronic system.

Dated: September 5, 2025

CUTTER LAW P.C.

By: /s/ Jennifer S. Domer

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[jdomer@cutterlaw.com](mailto:jdomer@cutterlaw.com)  
[ccutter@cutterlaw.com](mailto:ccutter@cutterlaw.com)

*Attorneys for ROE CL Plaintiffs*